



MAY 13 2003

PTO/SB/30 (01-03)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

RCE1600

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Request For Continued Examination (RCE) Transmittal

Address to:
Commissioner for Patents
Box RCE
Washington, DC 20231

<i>Application Number</i>	09/851,226
<i>Filing Date</i>	May 8, 2001
<i>First Named Inventor</i>	Jeffry Weers et al.
<i>Art Unit</i>	1617
<i>Examiner Name</i>	L. Wells
<i>Attorney Docket Number</i>	0073.00

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This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 CFR 1.114

- a. Previously submitted
 - i. Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
 - ii. Consider the arguments in the Appeal Brief or Rely Brief previously filed on _____
 - iii. Other _____
- b. Enclosed
 - i. Amendment/Reply
 - ii. Affidavit(s)/ Declaration(s)
 - iii. Information Disclosure Statement (IDS)
 - iv. Other _____

2. Miscellaneous

- a. Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. Other _____

3. Fees

- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- The Director is hereby authorized to charge the following fees, or credit any overpayments, to
 - a. Deposit Account No. 500348
 - i. RCE fee required under 37 CFR 1.17(e) 05/14/2003 HAHMED1 00000060 500348 09851226
 - ii. Extension of time fee (37 CFR 1.136 and 1.17) 01 FC:1801 750.00 CH
 - iii. Other _____
 - b. Check in the amount of \$ _____ enclosed
 - c. Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Michael J. Rafa	Registration No. (Attorney/Agent)	38,740
Signature		Date	5/9/03

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Kathy Honnert	Date	May 9, 2003
Signature			

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: **Commissioner for Patents, Box RCE, Washington, DC 20231**.

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Applicant : Weers et al.) Group Art Unit 1617
Appl. No. : 09/851,226)
Filed : May 8, 2001)
For : PHOSPHOLIPID-BASED POWDERS)
FOR DRUG DELIVERY)
Examiner : Wells, L.)

I hereby certify that this correspondence and all
marked attachments are being deposited with
the United States Postal Service as first-class
mail in an envelope addressed to: Assistant
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20231, on
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(Date)
Kathy Honnert
Kathy Honnert

RESPONSE

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In response to the Office Action mailed February 11, 2003, please consider the following amendments and remarks with respect to the above-captioned application.